

EXHIBIT K

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARTIN HOVENKOTTER,

Plaintiff,

vs.

SAFECO INSURANCE COMPANY OF
ILLINOIS,

Defendant.

CASE NO. 2:09-cv-00218-JLR

**AFFIDAVIT OF SCOTT KOHL IN
SUPPORT OF DEFENDANT'S
RESPONSE TO PLAINTIFF'S
MOTION FOR CLASS
CERTIFICATION**

I, Scott Kohl, state as follows:

1. My name is Scott Kohl. I am over twenty-one years of age and competent to be a witness herein. I work for the family of property and casualty insurance companies that are subsidiaries of Safeco Corporation. Safeco Corporation is a subsidiary of Liberty Mutual Insurance Group. For administrative convenience, the affiliated property and casualty companies are referred to as the Safeco Insurance Companies. Currently, I am the Vice-President and Manager of Auto Field Claims East for the Safeco Insurance Companies. As the result of my duties and responsibilities with the Safeco Insurance Companies, I have personal and first-hand knowledge of the facts set forth in this Affidavit. All statements in this Affidavit are true and correct to the best of my knowledge and belief and, unless stated otherwise herein, are based upon my personal knowledge and my knowledge of the relevant business records and the information contained therein.

2. The purpose of reappraising and reinspecting a vehicle once a diminished value claim has been made is to ensure that the insured's car has been repaired to manufacturer's specifications.

3. Safeco accepts many and varying forms of documentation in support of a diminished value claim. For instance, an insured or claimant may go to an independent dealership for an opinion. An insured or claimant may submit documentation that s/he attempted to sell the car for a certain amount of time for a certain amount and could not. Some insureds or claimants may elect to pay for an

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independent appraiser. Many insureds and/or claimants do their own leg work on the internet and build their own supporting documentation by reviewing potential vehicle values from various online sources, such as Kelly Blue Book, Edmunds, Auto Trader, N.A.D.A., etc. All of these forms of documentation may be accepted by Safeco in support of a diminished value claim, depending upon the facts and circumstances of the claim. There is not a single, specific form of documentation required by Safeco to support a claim for diminution in value. Each claim is evaluated and reviewed on its own merits.

4. Additionally, Safeco assigns qualified, experienced, specially-appointed adjusters to diminished value claims, once that claim is made by an insured. These adjusters are trained and are expected to have frank, open, and honest conversations about diminished value and to ensure that the customer has a complete understanding about his or her diminished value claim.

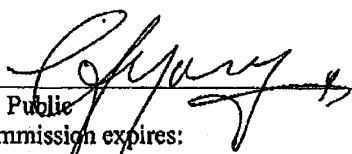
5. As the individual with responsibility for Auto Field in the state of Georgia, I requested and reviewed information regarding Safeco's payment of diminished value claims in Georgia. As a result of my request, it was determined that Safeco pays diminished value on approximately 35 to 40 percent of repairable vehicles that are the subject of first-party claims. Thus, while the potential for diminished value is assessed for all first-party claims in Georgia pursuant to Georgia law, diminished value is actually incurred only by a little more than a third of first party claims.

Signed under the penalty of perjury this 21 day of April, 2010.


Scott Kohl

On April 21, 2010 before me, Chona Fe Young, Notary Public, personally appeared Scott Kohl, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.


Notary Public
My commission expires:

